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February 19, 2013

VIA HAND DELIVERY

The Honorable Denise L. Cote
United States District Judge
Daniel Patrick Moynihan, United States Courthouse
500 Pearl St.
New York, New York 10007-1312

Morvarid Metanat
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MEMO ENDORSED

Re: Eastman Kodak Company v. Altek Corporation, Case No. 12-cv-246 (SDNY)

Dear Judge Cote:

Pursuant to Paragraphs 1(A) and 4(A) of the Court's Individual Practices in Civil Cases, Altek respectfully submits this letter in connection with Altek's Cross Motion for Partial Summary Judgment. Altek requests that portions of Altek's Statement of Undisputed Material Facts in Support of its Cross Motion ("Undisputed Material Facts"), which refers to documents which have been designated "Confidential" or "Highly Confidential—Attorney's Eyes Only" under the July 9, 2012 Protective Order (Dkt. No. 38), be filed under seal. Altek is only able to submit its Undisputed Material Facts today because Altek experienced technical difficulties on Friday, February 15, 2013, which caused it to lose the document's final changes, as set forth in the attached Declaration of Frances Cheever ("Cheever Declaration").

Specifically, Altek seeks to seal portions of its Undisputed Material Facts that cite or refer to exhibits Kodak has designated as "Confidential" or "Highly Confidential." These exhibits include the references to the deposition testimony of Kodak's Rule 30(b)(6) witness, Willy Shih, and Exhibit 4 attached to the Declaration of Juliette Chan in Support of Altek's Opposition to Kodak's Motion for Partial Summary Judgment.

For the Court's convenience, Altek has highlighted in blue the portions of its Undisputed Material Facts that cite or refer to these exhibits, and Altek submits these portions to be filed under seal per Kodak's designation.

Altek also seeks advisement from the Court on whether it should electronically file the Cheever Declaration.

Very truly yours,

Morvarid Metanat

*Penned for failure to make
sufficiently targeted
redactions.*

Enclosures

Cc via e-mail: Jonathan W. Woodard (with enclosures)
Jordan L. Hirsch (with enclosures)
Michael J. Summersgill (with enclosures)
Robert J. Gunther, Jr. (with enclosures)

Feb. 20, 2013